

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-20066-CR-MOORE/D'ANGELO

UNITED STATES OF AMERICA,

vs.

ERICA BONTEMPO MESQUITA COSTA,

Defendant.

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**ORDER FOLLOWING FARETTA HEARING AND GRANTING  
MOTION TO WITHDRAW AND APPOINTING NEW COUNSEL**

THIS CAUSE is before the Court on Defendant's Unopposed Motion for *Farettta* Hearing filed on February 20, 2025 (DE 12) and Defense Counsel Frank Quintero's Motion to Withdraw as Attorney filed on March 5, 2025 (DE 17).<sup>1</sup> The Court held a hearing on the Motions on March 5, 2025 (DE 18). The Court began the hearing by conducting a *Farettta* inquiry pursuant to *Farettta v. California*, 422 U.S. 806 (1975) and its progeny. *See United States v. Fant*, 890 F.2d 408 (11th Cir. 1989). After the Court conducted the inquiry, Defendant stated that she did not want to represent herself. Rather, she wanted an attorney to represent her but could not work with her current attorney, Mr. Quintero. At that point, the Court excused the Government and began an *ex parte* *Nelson* hearing, at which the Court heard from Defendant and Mr. Quintero.

Having reviewed the Motion for *Farettta* Hearing, the Motion to Withdraw as Attorney, and the relevant portions of the record, including matters raised at the hearing and *ex parte*, and being otherwise fully advised in the premises, it is hereby **ORDERED and ADJUDGED** that:

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<sup>1</sup> This matter was referred to the undersigned Magistrate Judge to take all necessary and proper action as required by law and/or to issue a Report and Recommendation regarding Defendant's Motion for *Farettta* Hearing (DE 14).

Defendant withdrew her request to proceed *pro se* in this matter and requested that a new attorney be appointed to represent her.

**IT IS FURTHER ORDERED** that Defense Counsel Frank Quintero's Motion to Withdraw as Attorney is **GRANTED**. Mr. Quintero is relieved of any further duty in this matter, and counsel listed below is hereby appointed to represent Defendant:

David A. Donet, Jr., Esq.  
Donet, McMillan & Trontz, P.A.  
100 Almeria Avenue  
Suite 230  
Coral Gables, FL 33134

**DONE and ORDERED** in Chambers in Miami, Florida on this 6th day of March, 2025.

  
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ELLEN F. D'ANGELO  
UNITED STATES MAGISTRATE JUDGE

cc: All Counsel of Record